

SOUTH DAKOTA DEPARTMENT OF EDUCATION SPECIAL EDUCATION PROGRAMS

Wagner School District Continuous Improvement Monitoring Process Report 2006-2007

Team Members: Barb Boltjes, Team Leader, Melissa Flor and Linda Turner, Special Education Programs, Penny McCormick-Gilles and Valerie Johnson, Education Specialists and Bev Peterson, Transition Liaison.

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Assistance	The district/agency consistently does not meet this requirement and is out of compliance.
Needs Intervention	The district/agency consistently does not meet this requirement and is out of compliance.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision

General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

Comprehensive plan

Specific district policies

Interagency Agreements

State data

Promising Practice

The steering committee reported home visits resulting have met with community approval and parent involvement is improving based on attendance at Parent/Teacher Conferences. The steering committee concluded general education and special education staff will become knowledgeable about meeting needs of all students through Response To Intervention.

The steering committee noted the counselor has implemented instruction for ACT preparation. Success Maker, Connected Math and Jr. High/High School reading classes are offered as opportunities for all students.

The steering committee reported an annual in-service for all staff who supervise paraprofessionals and other support staff. This training includes information on effective supervision and coaching techniques for professional growth. Educational Service Agency 3 provided a mentoring program.

Meets Requirements

The steering committee noted child find is published annually in the local paper, the Wagner Post. Posters and door to door fliers are distributed before the Birth-5 screening. The steering committee reported an on-going teacher assistance team process.

The steering committee reported the district meets requirements for children voluntarily enrolled in private schools, out of school and in school suspensions.

Needs Improvement

The steering committee concluded Wagner Community School suspension and expulsion rates have improved on state data tables from 5% to 3%.

Validation Results

Promising Practice

The monitoring team validated the many opportunities the district provides for all students such as Success Maker, Connected Math, ACT preparation class, Jr./Sr High school reading classes, Reading First, K-3, learning center and LapTop technology in classrooms.

Meets Requirements

The monitoring team validated the conclusions of the steering committee for Principle 1, General Supervision. The steering committee noted Wagner school district is continuing to make improvement on in-school suspension, out of school suspension and expulsion data. During the past year, the district has shown improvement from 5% to 3%.

Out of Compliance: Needs Intervention

ARSD 24:05:17:03 Annual report of children served

ARSD 25:05:24:01:13 Orthopedic impairment defined.

Orthopedic impairment is an impairment caused by a congenital anomaly, such as club foot or absence of some member; a disease, such as poliomyelitis, or bone tuberculosis; or another cause, such as cerebral palsy, an amputation, or a fracture or burn that causes contractures.

There must be evidence of the following:

1. That the student's impaired motor functioning significantly interferes with educational performance;
2. That the student exhibits deficits in muscular or neuromuscular functioning that significantly limit the student's ability to move about, sit, or manipulate materials required for learning;
3. That the student's bone, joint, or muscle problems affect ambulation, posture, or gross and fine motor skills; and
4. That current medical data by a qualified medical evaluator describes and confirms an orthopedic impairment.

The monitoring team was unable to validate placement on the child count in the appropriate placement category for three students. The evaluation information in the student file did not support placement in the category listed. The monitoring team noted:

Student 1, 2, and 6 are reported as a 530 (510,535,550) on the 2005 child count, however evaluation data does not support eligibility in the area of 535. There was no documentation by a qualified medical evaluator to confirm an orthopedic impairment (4).

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group

homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

Comprehensive plan

Specific district policies

State data

Promising Practice

The steering committee reported special education personnel track students on excel documents on a weekly basis.

Meets requirements

The steering committee noted the district meets requirements in procedures for out of school suspensions. An administrator notifies special education staff when a child has had an eight day of out of school suspension. The placement committee schedules a meeting to determine a need for a behavior intervention and/or a functional behavioral assessment.

Needs Improvement

The steering committee noted timelines are sometimes frayed due to movement of families in and out of the district.

Validation Results

Promising Practice

The monitoring team was not able to validate the tracking system by special education personnel. The purpose of such a system was not clearly defined or explained.

Meets Requirements

The monitoring team validated the steering committee findings for Principle 2, Free Appropriate Public Education. The monitoring team determined the district meets requirements for timeline infractions by using prior notice.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for

evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

File reviews

Surveys

Comprehensive Plan

Specific district policies

Meets requirements

The steering committee reported of 44 out of 44 files reviewed, the district follows necessary procedures to determine eligibility and therefore meets requirements in the area of eligibility determination.

Needs Improvement

The steering committee concluded reevaluation and continuing eligibility needs improvement after reviewing files, surveys, district's comprehensive plan and data from state reports. The steering committee determined the district needs to improve procedures in conducting timely reevaluations, reviewing existing data, gathering input from parents and other team members. Reevaluations are comprehensive and involve formal and standardized assessments.

The steering committee concluded the district generally makes reasonable efforts to attain parental consent prior to evaluations and reevaluations. However, currently the district does not have a consistent practice for documenting written notice five days prior to proposing or refusing to initiate or change the child's identification or evaluation.

The steering committee determined evaluators need to specify in assessment reports whether or not standard conditions were used. Further, communication needs to improve to ensure all evaluators are notified of areas to be assessed. In addition, the team needs improvement communicating areas to be assessed accessing parent input prior to developing the prior notice. Parental prior notice into the evaluation process is not consistently documented.

Validation Results

Meets Requirements

The monitoring team was unable to validate the information presented by the steering committee for Principle 3, Appropriate Evaluation.

Needs Intervention-Out of Compliance

Issues requiring immediate attention

ARSD 24:05:24.01:01. Students with disabilities defined. Students with disabilities are students evaluated in accordance with chapter 24:05:25 as having autism, deaf-blindness, deafness, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairments, emotional disturbance, specific learning disabilities, speech or language impairments, traumatic brain injury, or visual impairments including blindness, which adversely affects educational performance, and who, because of those disabilities, need special education or special education and related services. If it is determined through an appropriate evaluation, under chapter 24:05:25, that a student has one of the disabilities identified in this chapter, but only needs a related service and not special education, the student is not a student with a disability under this article. If, consistent with this chapter, the related service required by the student is considered special education, the student is a student with a disability under this article.

ARSD 24:05:25:04.03. Determination of eligibility. Upon completing the administration of tests and other evaluation materials as required by this chapter, the individual education program team and other individuals required by § 24:05:25:04.02 shall determine whether the student is a student with a disability, as defined in this article. The school district shall provide a copy of the evaluation report and the documentation of determination of eligibility to the parent. A student may not be determined to be a student with a disability if the determinant factor for that decision is lack of instruction in reading or math or limited English proficiency and if the student does not otherwise meet the eligibility criteria under chapter § 24:05:24.01

ARSD 24:05:17:10. Disproportionality. The division shall provide for the collection and examination of data to determine whether significant disproportionality based on race is occurring in the state with respect to:

(1) The identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular impairment described in chapter 24:05:24.01; and

(2) The placement in particular educational settings of these children.

In the case of a determination of significant disproportionality with respect to the identification of children as children with disabilities, or the placement in particular settings of these children, the division shall provide for the review

of and, if appropriate, revision of the policies, procedures, and practices used in identification or placement to ensure compliance with the requirements of Part B of the Individuals with Disabilities Education Act.

The monitoring team determined through files review and staff interview the district is using the category of speech language for students who are eligible for services in other categories. The primary reason stated was concern for the feelings of parents and lack of information. However, the evaluation data available in student files supported other categories such as autism, specific learning disability, developmental delay and mental retardation. This occurred in nine of 50 student file reviewed.

The district was flagged for disproportionate numbers on the 2005 child count in the area of speech and language and specific learning disability. The number of students placed on the 2006 child count in the area of speech language has increased from 72 (2005) to 74 (2006). This number does not include those students who receive speech language as a related service. Therefore, the district will continue to have disproportionate numbers in the category of speech language. The district did not provide the parent with accurate eligibility determination.

ARSD 24:05:25:04.02. Determination of needed evaluation data. As part of an initial evaluation, if appropriate, the individual education program team required by § 24:05:27:01.01 and other individuals with knowledge and skills necessary to interpret evaluation data, determine whether the child has a disability, and determine whether the child needs special education and related services, as appropriate, shall:

- (1) Review existing evaluation data on the child, including:
 - (a) Evaluations and information provided by the parents of the child;
 - (b) Current classroom-based assessments and observations; and
 - (c) Observations by teachers and related services providers; and
- (2) Based on the above review and input from the student's parents, identify what additional data, if any, are needed to determine:
 - (a) Whether the student has a particular category of disability as described in this article;
 - (b) The present levels of performance and educational needs of the student; and

(c) Whether the student needs special education and related services.

The school district shall administer tests and any other evaluation materials as may be needed to produce the data required to make the determinations listed in subdivision (2) of this section. If no additional data are needed to make the determinations listed in subdivision (2) of this section, the school district shall notify the student's parents of this fact and the reasons for this decision. The group described in this section may conduct its review without a meeting.

Through files reviews and staff interviews, the monitoring team noted parent input into the evaluation process was not consistently documented in student files.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in Principle 4 are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

File Reviews

Comprehensive Plan

State data

Meets requirements

The steering committee noted a full explanation of parental rights were presented to parents 100% of the time and through the review of 44 files, the district obtained consent for evaluation in 41 of 44 files reviewed. The district meets requirements for obtaining consent for initial provision of services on initial placements and consent for extended school year services.

The steering committee reported the district meets requirements for appointment of surrogate parents as stated in the comprehensive plan. The district has procedures for disclosure of student information and parents may request information on their child.

The steering committee determined the district has had no request for due process hearings, complaints and parents are provided a copy of their child's IEP.

Validation Results

Meets Requirements

The monitoring team validated the steering committee report for Principle 4, Procedural Safeguards with the exception of Surrogate Parent. Refer to Out of Compliance.

Needs Intervention: Out of Compliance

ARSD 24:05:30:15-Surrogate parents. Each school district shall establish procedures for the assignment of a surrogate parent to ensure that the rights of a child are protected if no parent can be identified and the district, after reasonable effort, cannot discover the whereabouts of a parent or if the child is a ward of the state. At a minimum, a district's method for determining whether a child needs a surrogate parent must include the following:

- (1) The identification of staff members at the district or building level responsible for referring students in need of a surrogate parent;
- (2) The provision of in-service training on the criteria in this section for determining whether a child needs a surrogate parent; and
- (3) The establishment of a referral system within the district for the appointment of a surrogate parent.

The district superintendent or designee shall appoint surrogate parents.

The district shall ensure that a person selected as a surrogate has no interest that conflicts with the interest of the child the surrogate represents and has knowledge and skills that ensure representation of the child. The district is responsible for the training and certification of surrogate parents and shall maintain a list of persons who may serve as surrogate parents.

A district may select as a surrogate a person who is an employee of a nonpublic agency that only provides noneducational care for the child and who meets the conflict of interest and knowledge standards in this section.

A person assigned as a surrogate may not be an employee of a public agency that is involved in the education or care of the child.

A person who otherwise qualifies to be a surrogate under the provisions of this section is not an employee of the agency solely because the person is paid by the agency to serve as a surrogate parent.

The surrogate parent may represent the student in all matters relating to the identification, evaluation, educational placement, and provision of FAPE to the students.

The district superintendent or a designee is responsible for reporting to the placement committee on the performance of the surrogate parent.

The monitoring team determined through staff interview, the district does not have a list of potential surrogate parents.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

Student IEPs

Comprehensive plan

Specific district policies

Budgeted services

Curriculum guides

State Content standards

State data

Promising Practice

The steering committee concluded transition services are provided for individual students earlier than age 16.

Meets requirements

The steering committee determined the district meets the requirements for five day prior notice, placement committee membership for IEP content including training for general education teachers on modifications and accommodations. General education teachers, special education teachers and other staff have the opportunity to study techniques of differentiated instruction. Annual review of IEPs were completed in 365 days in 39 of 40 files and students' IEPs reflect the courses of study and needed transition services

Needs Improvement

The steering committee noted transition services were not consistently documented on the present levels of academic achievement and functional performance.

Out of Compliance:

The steering committee concluded the district does not consistently invite outside agencies for students 16 years and older, transfer of rights one year prior to turning age 18 and transition evaluations are not consistently administered.

The steering committee determined information for students transitioning from Part C to Part B are not consistently documented.

Validation Results

Promising Practice

The monitoring team was not able to validate transition services for individuals earlier than age 16 as a promising practice. This provision is a requirement for students with a specific need prior to age 16.

Meets Requirements

The monitoring team validated improvements in the documentation of transition in the present levels of academic achievement and functional performance and invitations to outside agencies. The Casey Life Skills assessment is administered and transfer of rights is documented in files of students one year prior to their reaching age 18.

Following review of student records, the monitoring team concluded transition from Part C to Part B was consistently documented in files completed following the pre-site visit.

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

File reviews

Comprehensive plan

Promising Practice

The steering committee determined the high school guidance counselor works closely with students with disabilities to provide opportunities beyond high school.

The steering committee concluded the district started a preschool for all children in August of 2006. The preschool is a collaborative effort which includes the school district, HeadStart and South Central Cooperative.

Meets Requirements

The steering committee reported the district implements least restrictive environment for each child on an IEP and writes a justification for placement.

Validations Results**Promising Practice**

The monitoring team was unable to validate the promising practice cited by the steering committee. The district is responsible for providing opportunities beyond high school for students with a disability. The provision is a requirement for students with a current IEP.

The monitoring team validated the Preschool Initiative as a promising practice. Wagner School District, South Central Cooperative and South Central Child Development-Head Start collaborate to provide an age appropriate preschool environment for all children in the district. The program serves children age 3-5 years of age.